

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Kenneth Daywitt, David Jannetta,
Steven Hogy, Merlin Adolphson,
Michael Whipple, and Peter Lonergan,

Case No. 20-CV-1743 (NEB/KMM)

Plaintiffs,

vs.

Jodi Harpstead, Marshall Smith,
Nancy Johnston, Jim Berg, Jannine
Hebert, Kevin Moser, Terry Kneisel,
and Ray Ruotsalainen,

**DEFENDANTS' MOTION TO
DISMISS PLAINTIFFS'
COMPLAINT**

Defendants.

TO: Plaintiffs Kenneth Daywitt, David Jannetta, Steven Hogy, Merlin Adolphson,
Michael Whipple, and Peter Lonergan, Minnesota Sex Offender Program, 1111
Hwy 73, Moose Lake, MN 55767.

Defendants move the Court to dismiss Plaintiffs' Complaint ("Compl.") in its
entirety with prejudice pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of
Civil Procedure. This Motion is based upon all files, records, and proceedings herein, to
include Defendants' Memorandum of Law in Support of Its Motion.

Dated: January 25, 2021

Respectfully submitted,

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